Ocequeda v. State of Nevad

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ANA OCEGUEDA,

Case No. 2:15-cv-01884-JCM-EJY

ORDER

v.

WARDEN JO GENTRY, et al.,

Respondents.

Petitioner,

Presently before the court are petitioner Ana Ocegueda's motion to seal (ECF No. 31) and respondents' motion for enlargement of time (ECF No. 33).

12 Ocegueda seeks leave to file under seal a total of five exhibits containing sensitive health 13 information, including her medical kites, physician's orders, and progress notes. (ECF No. 32.) 14 The need to protect medical privacy generally qualifies as a "compelling reason" for sealing 15 records in connection with a dispositive motion. E.g., Abbey v. Hawaii Employers Mut. Ins. Co. 16 (HEMIC), 760 F. Supp. 2d 1005, 1013 (D. Haw. 2010). Having reviewed and considered the 17 matter in accordance with the Ninth Circuit's directives set forth in Kamakana v. City and County 18 of Honolulu, 447 F.3d 1172 (9th Cir. 2006), and its progeny, the court finds that a compelling need 19 to protect Ocegueda's privacy and personal identifying information outweighs the public interest 20 in open access to court records. Accordingly, IT IS HEREBY ORDERED that Ocegueda's motion 21 to seal (ECF No. 31) is GRANTED.

Good cause appearing, IT IS HEREBY ORDERED that respondents' motion for enlargement of time (ECF No. 33) **is GRANTED**. Respondents have until June 17, 2020, to file a reply in support of the motion to dismiss.

DATED May 22, 2020.

Eller C. Mahan

JAMES C. MAHAN UNITED STATES DISTRICT JUDGE